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IMPLEMENTATION OF THE INTERNATIONAL DRUG CONTROL TREATIES

Report of the International Narcotics Control Board on the implementation of article 12 of the 1988 Convention**

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** This document has not been edited.

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I. INTRODUCTION

1. Article 12 of the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Convention) introduces a number of control measures on various substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances. The article entrusts the International Narcotics Control Board with new responsibilities in addition to general monitoring functions conferred on it by article 22, functions which are similar to those conferred under the Single Convention on Narcotic Drugs, 1961, that Convention as amended by the 1972 Protocol, and the 1971 Convention on Psychotropic Substances. Specifically, the Board's responsibilities under article 12 include: (i) monitoring the implementation by Governments of the control measures provided for under that article; (ii) activities related to possible modification in the scope of control of substances in Tables I and II; and (iii) submission of an annual report to the Commission on Narcotic Drugs on Governments' implementation of that article.

2. Article 12 stipulates the control measures applicable to substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances and has the following provisions:

- General obligation for Parties to take measures to prevent diversion of the substances listed in Table I and Table II (paragraph 1);

- Mechanism for amending the scope of control (paragraphs 2-7);

- Monitoring manufacture and distribution: to which end Parties may control persons and enterprises; control under licence establishments and premises; require permits for such operations; and prevent accumulation of substances in Tables I and II (paragraph 8);

- Obligation to monitor international trade to identify suspicious transactions; to provide for seizure; to notify the authorities of the Parties concerned of suspicious transactions; to require proper labelling and documentation; and to ensure maintenance of such documents for at least two years (paragraph 9);

- Mechanism for advance notice for exports of substances in Table I, upon special request (paragraph 10);

- Confidentiality of information (paragraph 11);

- Reporting by Parties to the Board (paragraph 12);

- Board's report to the Commission (paragraph 13);

- Non-applicability of the provisions of this article to certain preparations (paragraph 14).

3. Article 12, paragraph 13, of the 1988 Convention provides that:

> "The Board shall report annually to the Commission on the implementation of the this article and the Commission shall periodically review the adequacy and propriety of Table I and Table II."

4. As the 1988 Convention entered into force on 11 November 1990, the present report is the first report of the Board to the Commission under article 12 of the Convention.

II. ACTION TAKEN BY THE BOARD

5. In preparation for the entry into force of the 1988 Convention, and in the spirit of Resolution 2 of the Plenipotentiary Conference which adopted the Convention and resolution 1989/13 of the Economic and Social Council concerning the provisional application of the Convention's provisions pending its entry into force, the Board decided to initiate a series of measures during 1989 and 1990 directly related to article 12. Specifically, the Board (i) set up a new substantive secretariat unit to deal with precursors, 1/ (ii) approved a new questionnaire for collecting data as required by article 12, paragraph 12, (iii) instructed its secretariat to begin the collection, organization and analysis of data available on precursors, (iv) extended assistance to Governments in organizing and co-ordinating their approach to the monitoring and control of precursors, and (v) established priorities concerning monitoring and assessment functions under article 12. Details on such action are set out below.

6. The Board established within its secretariat the Precursors Control Unit in addition to the existing three substantive units, i.e. Estimates Unit, Narcotics Control Unit and Psychotropics Control Unit. The objectives of the Precursors Control Unit are (i) to execute the Board's decisions related to the implementation of the provisions of the 1988 Convention, (ii) to collect and analyze information on Governments' implementation of specific provisions of that Convention and on the illicit movement of substances in Tables I and II (and other similar substances) to enable the Board to exercise the functions mandated under the Convention, and (iii) to channel communications between INCB and Governments relevant to the control of such substances. In addition, thanks to extrabudgetary funds, the Board was also able to acquire the services of a consultant with special expertise in chemistry to facilitate the establishment of the databank referred to in paragraph 9 below.

7. In order to collect data required under article 12, paragraph 12, the Board approved at its forty-sixth session in October 1989 a new questionnaire entitled "Form D - Annual information on substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances". The questionnaire was transmitted to Governments for the first time in December 1989, requesting the requisite information for 1989 relating to seizures of substances in Tables I and II, on the origin of those substances and methods of diversion and illicit manufacture. The Board is pleased to note that a substantial number of Governments responded favourably and is confident that other Governments will also provide the information. An account of the information supplied is given in paragraphs 35-39 below. Data on reported seizures of substances in Tables I and II are shown in annex I. A revised version of Form D, which will be used in 1991 to collect data for 1990, is reproduced in annex II.

8. In that connection, the Board is aware that a number of countries and territories are at present in the process of co-ordinating the control and reporting procedures among the authorities concerned. It therefore intends to continue to monitor whether the existing mechanisms of control and of reporting are sufficient to collect the requisite data.

9. A databank has been established to enable INCB to make full use of the information furnished by Governments on the seizures and illicit movement of Table I and II substances and on other substances identified as having been used in the illicit manufacture, trace their origin and recommend concrete measures to prevent diversion. With a view to expanding effectively the databank, contacts are also being made with other competent international bodies including the International Criminal Police Organization, the Organization of American States, and the Customs Co-operation Council, as well as UNCTAD.

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10. In accordance with a decision taken by the Board at its forty-sixth session in October 1989, its secretariat organized a seminar on the application of article 12 of the 1988 Convention from 18 to 22 June 1990 at Brussels. The conference servicing facilities for the seminar were generously made available by the Commission of the European Communities. The Board is also grateful to the Governments of the United Kingdom of Great Britain and Northern Ireland and of the United States of America for making special financial contributions, which ensured broader attendance from all geographic regions than would otherwise have been possible.

11. The seminar was designed to be of interest to officials who would be directly responsible for reporting to INCB pursuant to article 12, paragraph 12, as well as to customs and law enforcement officials and representatives of interested international bodies. It offered an opportunity for an exchange of views and information on the actual situation regarding precursors used in the illicit manufacture of narcotic drugs and psychotropic substances and mechanisms to control them as well as clandestine manufacture. The seminar was attended by 135 participants from 42 states and one territory from all regions of the world. Observers from the Commission of the European Communities, the Council of Europe, the Customs Co-operation Council, the International Criminal Police Organization, the Organization of American States, the United Nations Division of Narcotic Drugs and the World Health Organization also attended. Reference to the major issues noted during the seminar is made in the chapters below.

12. With reference to the requirements under article 12 to carry out both monitoring and assessment functions, and in view of the limited additional resources which have been made available to its secretariat, the Board decided that, at least at the initial stage, the first priority should be placed on monitoring the execution by Governments of the control measures provided for under article 12. As regards the assessment of substances for possible modification in the scope of control of the 1988 Convention, any substantive review could be done on an ad hoc basis, and when the need manifests itself. However, while a lower priority had to be accorded to that activity at the initial stage, the Board immediately commenced preparatory work to stand ready, should the need arise for such assessment of substances. In this connection, the Board considers it essential that the limited additional staff posts made available to its secretariat on a non-recurrent basis for activities related to the 1988 Convention be established on a permanent basis.

III. ACTION TAKEN BY GOVERNMENTS

13. The Board is cognizant of the fact that, with the recent entry into force of the 1988 Convention, many Governments have just begun to initiate legislative and administrative measures with a view to applying the provisions of the Convention. Nevertheless, the Board wishes to recall that Resolution 2 of the United Nations Conference which adopted the 1988 Convention invited States, already in December 1988, to the extent that they were able to do so, to apply provisionally the measures provided in the Convention pending its entry into force for each of them. Furthermore, resolution 1989/13 of the Economic and Social Council and the Political Declaration adopted by the seventeenth special session of the General Assembly of the United Nations in February 1990 also urged States to apply provisionally the terms of the 1988 Convention.

14. In this connection, the Board notes with satisfaction that a number of Governments have now taken concrete steps effectively to carry out the provisions of the Convention and have initiated a dialogue among themselves for necessary co-ordination. The Board is also pleased to learn that several

international bodies, including the European Communities, the Organization of American States, the Customs Co-operation Council and the International Criminal Police Organization have, within their respective spheres of competence, initiated measures designed to enhance international co-operation with reference to the implementation of article 12. The Board hopes that the present report may also assist Governments to consider what further measures should be taken towards effective functioning of the national and international control systems as stipulated under the 1988 Convention.

15. The action taken, or expected to be taken, by Governments falls into the following categories: (i) legislative measures; (ii) current national control measures; (iii) identification of, and co-ordination among, the regulatory and reporting authorities; and (iv) information furnished on Form D pursuant to article 12, paragraph 12.

A. Legislative measures

16. A number of countries have enacted, or are in the process of preparing, new legislation in order to fully implement the provisions of the 1988 Convention. Some countries have introduced mandatory control measures in their legislation, which may include requirements of registration of persons involved in manufacture, distribution and international trade in the controlled substances, record keeping and reporting to the authorities and licensing. Records may be required to be maintained for transactions involving tableting and encapsulating machines. In other countries, while national legislation provides for certain mandatory requirements such as documentation, record keeping, labelling and notification of trade, the monitoring systems for the movement of precursors are based on voluntary co-operation of the chemical industry.

17. Two regional international organizations have taken steps to develop models which can be used to harmonize national legislation for implementing the provisions of the 1988 Convention.

18. In the Americas, the Organization of American States (OAS) has drawn up "Model Regulations to Control Precursors and Chemical Substances, Machines and Materials", 2/ which were endorsed by the Inter-American Council of Ministers in April 1990 and subsequently adopted by the OAS General Assembly in June 1990. The Model Regulations have a wider scope of control than the 1988 Convention and cover a greater number of substances and additional requirements including more detailed record keeping. The Board is pleased to note that OAS is now encouraging those member states which have not yet become Parties to the 1988 Convention to do so and to facilitate the implementation of comprehensive chemical control laws by all member states.

19. In Europe, the proposal for a "Council Regulation (EEC) laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances" 3/ is being considered by the Council of the European Communities. When approved, the Regulation will be binding on all the member states of the European Communities and will apply six months after its entry into force.

20. In connection with national legislation and the model regulations approved by OAS and the proposed Council Regulation for the European Communities, the report of the Brussels Seminar referred to in paragraphs 10-11 above notes that "there are distinct and important differences concerning the scope of and coverage of these schemes, especially as they relate to the two tables of substances annexed to the 1988 Convention".

21. The report also notes that there is "an urgent need to integrate differing legal measures to promote a more harmonious and effective implementation of treaty provisions and bilateral or multilateral agreements and arrangements". The report further notes that regional bodies such as the European Communities and the Organization of American States should be urged to exchange information on their work on model regulations so as to ensure full complementarity between their systems. The Board hopes that practical experience gained through co-operation will lead to, where required, harmonization of national legislations for more effective implementation of treaty provisions.

B. Current national control measures

22. A number of Governments have established monitoring systems for at least some of the substances in Tables I and II. In some countries, such systems are composed of mandatory requirements and in others they are based on voluntary reporting from companies.

23. One legislative approach which has been used requires the chemical industry to maintain records of any transaction involving a substance controlled under the law that exceeds the established threshold amount, including those transactions involving tableting and encapsulating machines. Firms are also under the obligation to obtain proof of identity of the purchasers and to notify the competent authorities of suspicious orders. Advance notification is also required for any import or export of a controlled chemical which meets or exceeds the threshold amount in order to enable the authorities to verify the legitimacy of the intended customer. In instances where the possibility of diversion is suspected, the authorities have the power to suspend the exports. There have been some major indications of the impact of such a mandatory monitoring system, although few shipments have yet been suspended. This system is the one which has been introduced in the United States of America.

24. Under a different legislative approach, the monitoring system for the licit movement of substances in Tables I and II is in principle based on voluntary co-operation of chemical companies which report suspicious sales to the competent authorities, although the national legislation does require, inter alia, documentation, record keeping, inspection, proper labelling and notification of exports to the recipient countries. The increased activity under this monitoring system has resulted in a number of discoveries of illicit laboratories. In those cases, the orders were found to be suspicious by the companies concerned on the basis of the criteria communicated to them within the context of the monitoring system. Those companies accordingly brought the orders to the attention of the competent authorities, which then organized controlled deliveries. The United Kingdom uses this system.

25. National monitoring systems as currently applied to substances in Tables I and II of the 1988 Convention (and other similar substances) generally involve both mandatory and voluntary aspects. Effective functioning of those systems will need to be examined by Governments in the light of the practical experience gained through mutual co-operation.

26. In this connection, a number of issues have, already at this initial stage, come to the attention of the Board. Specifically, they include questions relating to (i) identification of final recipients of the exported substances, (ii) proper labelling and nomenclature, (iii) ensuring notification of suspicious orders, and (iv) verification of authenticity of import certificates or legitimacy of orders.

27. Among the cases of diversion attempts brought to the attention of the Board, involvement of intermediaries and fictitious companies has often been noted. In one case, the substance (pseudoephedrine) manufactured in one country had first been exported legally to another country before it was shipped to a fictitious company in the final destination country. All these transactions were arranged by an intermediary located elsewhere and involved intentional false labelling. A number of chemical and trading companies were also involved in the process, some possibly on a bona fide basis. The Board is in contact with the authorities of the countries concerned with a view to effectively assisting them to prevent any further attempts at smuggling. In addition, the Board has learned that part of the original consignment of pseudoephedrine was also shipped to various other countries at the order of the same intermediary referred to above. While all these additional shipments were made with proper labels, the Board is in contact with the authorities concerned to ascertain whether the trade took place for legitimate purposes.

28. With regard to intermediaries in international trade, Governments may wish to consider some of the issues which the Brussels Seminar referred to in paragraphs 10-11 above took note of. Following considerable discussion of the need for rapid and direct communications between exporting and importing States, it was suggested at the Brussels Seminar that certain guidelines would facilitate that activity:

> "(a) Registers should be developed of importers, exporters, manufacturers, distributors, brokers and intermediaries involved in the trade of substances included in the annex to the 1988 Convention (and other similar substances).
>
> (b) Exporting States should, in appropriate cases, communicate information on anticipated transactions to the appropriate authority of the importing or transit State; in such cases, the importing or transit State should communicate the result of their inquiries or findings to the appropriate authority of the exporting State.
>
> (c) Exporting States should require that exporters must ensure that import/export documents identify the ultimate recipient of the exported substances."

29. As mentioned in paragraph 27 above, false labelling is often involved in smuggling attempts. In this regard, the Board notes that the report of the Brussels Seminar emphasizes the following point: "More adequate safeguards should be developed against trans-shipment of substances for the purpose of smuggling them out of the recipient country for use in the illicit manufacture of narcotic drugs and psychotropic substances. Since that activity often involves intentional false or misleading labelling, States should consider making such mislabelling an offense subject to appropriately severe penalties."

30. In this connection, as regards the nomenclature used in international trade in substances included in Tables I and II of the 1988 Convention, the Board finds it essential that the terminology used to identify those substances in the Convention be utilized in trade documents as well as in any governmental authorization where applicable.

31. The Board has observed that suspicious orders are not always reported by firms to the national competent authorities even when, for instance, intentional mislabelling is involved. There appears to be a need for effectively strengthening the existing procedures of notifying suspicious orders to the competent authorities.

32. It has come to the attention of the Board that, when the competent authorities of some exporting countries found it necessary to ascertain the authenticity of the import certificates in their possession or the legitimacy of the orders placed, they are in some instances confronted with difficulties in obtaining prompt and competent responses from the authorities of importing countries. This may have resulted from the fact that monitoring the movement of Table I and II substances may require the involvement of different government services. The Board urges the Governments of importing countries to review the current control mechanisms with a view to promptly responding to such requests from the authorities of exporting countries. The Board wishes to be apprised of the steps being taken by Governments of importing countries and stands ready to assist, where necessary, the authorities of exporting countries in verifying the legitimacy of orders.

C. Regulatory and reporting authorities

33. As a number of substances controlled under the 1988 Convention are widely used in industry, monitoring the movement of such substances is a complex activity which may require, in varying degrees, the attention of different government services. The national authorities responsible for regulating those substances may not be the same as the authorities responsible for the control over the movement of narcotic drugs and psychotropic substances. In addition, the authorities which will report to the Board in accordance with article 12, paragraph 12, might also be different from those responsible for controlling Table I and II substances. In this connection, it has been noted that, among the 94 countries and territories which returned Form D, the reporting authorities in 19 countries and one territory 4/ were different from those responsible for submitting information to the Board under the 1961 and 1971 Conventions. Furthermore, in some cases, more than one authority from the same country transmitted Form D to the Board, setting out different data.

34. At the Brussels Seminar referred to in paragraphs 10-11 above it was noted that there is a need for appropriate national co-ordination between administrative services involved in monitoring the movement of substances in Tables I and II. The report of the Seminar emphasizes that the competent authority for reporting to INCB needs to be identified as a matter of urgency and that the authority could with advantage be the same as the special administration established pursuant to article 17 of the 1961 Convention and article 6 of the 1971 Convention. The Board proposes to send a communication to Governments reiterating this point and requesting it be notified at the earliest possible time of the identity of the competent authority.

D. Information furnished on Form D pursuant to article 12, paragraph 12

35. Article 12, paragraph 12, of the 1988 Convention requires each Party to furnish annually to the Board, in the form and manner provided for by it and on forms made available by it, information on seizures of substances listed in Tables I and II, on the origin of those substances and on methods of diversion and illicit manufacture.

36. In December 1989, the Board transmitted to all Governments Form D ("Annual information on substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances") with a request that it be completed and returned. As of 1 November 1990, 94 countries and territories had submitted Form D for 1989 out of the 187 countries and territories requested to supply the information. This represents 50 per cent of all the countries and territories. It should be noted, however, that among the

Governments which have returned Form D, more than 70 per cent supplied negative replies to all the items on the form. Many of those Governments stated that neither seizures of the substances listed in Table I or II nor any clandestine manufacture involving such substances had been reported to or detected by the regulatory authorities.

37. A total of 21 countries and territories, out of which three States have ratified or acceded to the 1988 Convention, reported seizures in 1989 of substances controlled under the 1988 Convention. The reported seizures of substances in Tables I and II are reproduced in annex I. Only figures exceeding one litre or one kilogramme are listed in the annex. In some cases, different data were furnished by different authorities of the same country and it was unclear as to whether this represented duplicate reporting or additional information. In such cases, the Governments concerned have been contacted for clarification and reference is made to that effect in the footnotes to the annex. Data on seizures of other substances identified as having been used in illicit manufacture of narcotic drugs and psychotropic substances are not yet reproduced, as the Board has found it premature to present a clear picture on such seizures because of the insufficient information received.

38. Three substances in Table I (ephedrine, 1-phenyl-2-propanone and pseudoephedrine) and four substances in Table II (acetic anhydride, acetone, ethyl ether and phenylacetic acid) were reported seized during 1989. Most frequently seized was ephedrine, followed by ethyl ether, acetone and acetic anhydride. No seizures of ergometrine, ergotamine, lysergic acid (all in Table I), anthranilic acid or piperidine (both in Table II) were reported.

39. In this connection, it has been noted that countries of origin of the substances seized are often not indicated on Form D and that in very few cases methods of diversion or clandestine manufacture have been reported. Collection of such information requires co-ordination of several government services and the Board hopes that steps currently being taken by Governments in this matter will soon enable them to gather the requisite information.

IV. CONCLUDING OBSERVATIONS

40. As discussed in the foregoing chapters, the following matters are the major issues requiring urgent consideration by Governments which have come to the attention of the Board in the discharge of its responsibilities under article 12 of the 1988 Convention; they are recapitulated here for ease of reference:

(a) Provisional application of the provisions of the Convention prior to becoming Parties;

(b) Adoption of adequate legislative and administrative measures for effective implementation of article 12, including those control measures which the article leaves to the discretion of Parties;

(c) Harmonization of legislation among Parties, where required;

(d) Adoption of practical control measures, possibly including:

- establishment of registers for firms involved in international trade;

- notification procedures, where appropriate, for anticipated transactions in international trade;

- identification of the ultimate recipient in international trade;

- proper labelling and documentation;

- mechanisms to notify suspicious orders;

- co-ordination mechanisms to verify authenticity of orders;

(e) Urgent identification of regulatory and reporting authorities, co-ordination thereof; possibly the same special administration as established under the 1961 and 1971 Conventions.

41. For its part, the Board continues to stand ready to assist Governments in the practical application of the provisions of article 12.

42. In view of the fact that the 1988 Convention entered into force only on 11 November 1990, no notification under article 12 concerning possible changes in the scope of control under the 1988 Convention has yet been transmitted by Governments to the Secretary-General. As referred to in paragraph 12 above, the Board shall endeavour to be prepared to undertake the assessment required under the article. To that end, the Board will require special expertise in the same manner as the World Health Organization needs such expertise for its similar scheduling function under the 1961 and 1971 Conventions. For that purpose, the Board intends to convene a preparatory meeting of a group of experts during 1991, if extrabudgetary funds can be made available. However, the Board expects that financial resources for its advisory group will in the future be included in the regular budget.

Notes

1/ This term is used to indicate any substance in Table I or Table II of the 1988 Convention, except where the context otherwise requires. These substances, which are often described as essential chemicals, solvents or precursors, depending on their principal chemical properties and use, were not defined by the use of any one term at the Plenipotentiary Conference which adopted the 1988 Convention. Instead, the expression "substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances" was introduced in the Convention. The custom has developed to refer to all such substances by the simple term "precursors"; although this is not technically correct, the Board has decided to use the word in that sense in its report for the sake of brevity.

2/ See RM/NARCO/doc.18/90 rev.1.

3/ See COM(90) 215 Final.

4/ Anguilla, Bahrain, Botswana, Denmark, Ecuador, Fiji, France, Italy, Kiribati, Kuwait, Malta, Mexico, Mongolia, Papua New Guinea, Republic of Korea, St. Kitts and Nevis, Sri Lanka, Suriname, Swaziland and Tuvalu.

Annex I

Seizures of the substances in Tables I and II of the 1988 Convention as reported to the Board for 1989

Substance seized (Table I / II)	Reporting country / territory	Substance originated from:	Quantity
Acetic anhydride (Table II)	Belgium	a/	25 litres
	Mexico	Mexico	4 litres
	Myanmar	India	499 litres
	Turkey	a/	848 kg.
	United Kingdom	United Kingdom	3 315 litres
Acetone (Table II)	Argentina	Argentina	651 litres
	Aruba	a/	2 100 tonnes
	Belgium	Belgium	120 litres
	Colombia	a/	3 336 474 litres
	Ecuador	a/	47 130 litres b/
	Turkey	a/	150 kg.
	United Kingdom	United Kingdom	1 litre
Ephedrine (Table I) c/	Hong Kong	a/	7 kg.
	Netherlands	Netherlands	1 kg.
	Philippines	Taiwan or Hong Kong	8 kg.
	Republic of Korea	a/	690 kg.
	United Kingdom	United Kingdom	251 kg. d/
Ethyl ether (Table II)	Argentina	Argentina	775 litres e/
	Belgium	a/	2 litres
	Colombia	a/	2 883 110 litres
	Ecuador	a/	1 400 litres f/
	Italy	a/	4 litres g/
	Lao People's Dem. Rep.	a/	820 litres
	Turkey	a/	200 kg.
	United Kingdom	United Kingdom	1 686 litres
Phenylacetic acid h/ (Table II)	United Kingdom	United Kingdom	1 kg.
1-phenyl-2-propanone h/ (Table I)	Belgium	a/	1 litre
	France	France	200 kg.
Pseudoephedrine h/ (Table I)	Philippines	Federal Republic of Germany	200 kg. i/

Notes

a/ Not identified.

b/ In addition, another seizure of 675 litres of acetone was reported by a different authority.

c/ The following countries also supplied data on seizures of ephedrine (quantities amounted to less than one kilogramme or were unspecified): Canada, Kuwait, Japan, Mali and USSR.

d/ Of this amount, 250 kg had been licitly imported into the United Kingdom from Czechoslovakia.

e/ This quantity had been licitly imported into Argentina from the Federal Republic of Germany.

f/ In addition, another seizure of 1 160 litres of ethyl ether was reported by a different authority.

g/ In addition, another seizure of 1 litre of ethyl ether was reported by a different authority.

h/ Japan reported seizures of unspecified quantities of these substances totalling less than 50 grammes.

i/ This quantity had been licitly imported into the Federal Republic of Germany from China.

Annex II

FORM D

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

ANNUAL INFORMATION ON SUBSTANCES FREQUENTLY USED IN THE ILLICIT MANUFACTURE OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances: article 12

COUNTRY OR TERRITORY: ..... DATE: .....

COMPETENT DEPARTMENT: .....

(Signed): ..... Title or function: .....

This information relates to the calendar year 19....

REMARKS

This report, **IN A SINGLE COPY**, should be sent to
the **INTERNATIONAL NARCOTICS CONTROL BOARD**
VIENNA INTERNATIONAL CENTRE
P.O.BOX 500, A-1400 VIENNA, AUSTRIA
TELEPHONE:211310 TELEGRAPHIC ADDRESS:UNATIONS VIENNA
TELEX:135612 uno a FAX:232156

2nd Edition, December 1990

SEIZURES OF SUBSTANCES IN TABLES I AND II FORM D

Substances	Total quantity seized (specify units in kilogrammes or litres)	Country of origin (number of seizures in parentheses)	Quantity seized by country of origin (specify units in kilogrammes or litres)
		.....(...)	.....
Acetic anhydride		.....(...)	.....
		( )	
		.....(...)	.....
Acetone		.....(...)	.....
		( )	
		.....(...)	.....
Anthranilic acid		.....(...)	.....
		( )	
		.....(...)	.....
Ephedrine		.....(...)	.....
		( )	
		.....(...)	.....
Ergometrine*		.....(...)	.....
		( )	
		.....(...)	.....
Ergotamine*		.....(...)	.....
		( )	
		.....(...)	.....
Ethyl ether		.....(...)	.....
		( )	
		.....(...)	.....
Lysergic acid*		.....(...)	.....
		( )	
		.....(...)	.....
1-phenyl-2-propanone		.....(...)	.....
		( )	
		.....(...)	.....
Phenylacetic acid		.....(...)	.....
		( )	
		.....(...)	.....
Piperidine		.....(...)	.....
		( )	
		.....(...)	.....
Pseudoephedrine		.....(...)	.....
		( )	

* For this substance, please report quantities seized in grammes.

FORM D

SUBSTANCES NOT INCLUDED IN TABLE I OR II

IDENTIFIED AS HAVING BEEN USED IN ILLICIT MANUFACTURE

Available information to be brought to the attention of the Board, which may include:

- the total quantity seized;
- the number of seizures and the quantity seized by country of origin;
- the name of the narcotic drug or psychotropic substance that was intended to be illicitly manufactured using the substance seized;
- volume and extent of the illicit manufacture of the above narcotic drug or psychotropic substance;
- licit use of the substance seized including extent, importance, etc.

Substance:

Substance:

Substance:

METHODS OF DIVERSION AND ILLICIT MANUFACTURE FORM D

(Please supply detailed information on the more significant cases reported on pages 2 and 3.)

Substance:

Substance:

Substance:

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COMMISSION ON NARCOTIC DRUGS
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Item 8 of the provisional agenda*

DEVELOPMENT AND PROMOTION OF MORE EFFECTIVE ACTION AGAINST ILLICIT DRUG TRAFFICKING THROUGH REGIONAL CO-OPERATION IN DRUG LAW ENFORCEMENT

Reports of meetings of heads of national drug law enforcement agencies and of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East

Note by the Secretariat

1. In accordance with Economic and Social Council resolution 1988/15, the Commission on Narcotic Drugs is to consider under a separate agenda item the report of the Third Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Africa (E/CN.7/1991/2 and Corr.1), the report of the Third Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Latin America and the Caribbean (E/CN.7/1991/3), the report of the Fifteenth Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Asia and the Pacific (E/CN.7/1991/4 and Corr.1), the report of the First Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Europe (E/CN.7/1991/5), and the report of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East at its twenty-seventh session (E/CN.7/1991/6).

2. The Commission is invited to consider the draft resolutions, draft decisions, draft recommendations and other matters brought to its attention in those reports. The meetings of heads of national drug law enforcement agencies (HONLEA) recommended seven draft resolutions for adoption by the Economic and Social Council through the Commission and eight draft resolutions for adoption by the Commission.

3. The Commission is also invited to approve the reports of the HONLEA meetings, including the recommendations emanating from the working groups established by those meetings to address themselves to urgent issues facing drug law enforcement agencies in the fight against illicit traffic in the various regions with a view to adopting effective countermeasures. The recommendations call for action at the national, subregional, regional and international levels.

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4. The Commission's attention is drawn to a new approach followed by the HONLEA meetings, which emphasizes the identification of urgent issues facing drug law enforcement agencies in the fight against illicit traffic in the various regions and the establishment of working groups to discuss those issues with a view to finding acceptable countermeasures to be implemented at the national and regional levels. By facilitating the consideration of sensitive matters in a direct, informal manner, the new approach has produced valuable results. The Commission is invited to endorse the new approach and to recommend ways of further improving the working methods of the HONLEA meetings. The Commission may also wish to identify items that the HONLEA meetings should deal with in the future.

5. The HONLEA meetings have focused on institutionalizing a regional approach to problems related to drug control matters. This falls in line with the strategy contained in the Global Programme of Action adopted by the General Assembly in its resolution S-17/2 and followed in the system-wide action plan on drug abuse control. The HONLEA meetings have accordingly given priority to action to be undertaken at the regional level with a view to enhancing the adoption of comprehensive action against illicit drug trafficking and other transborder criminal activities by drug syndicates. The Third Meeting of HONLEA, Latin America and the Caribbean, and the First Meeting of HONLEA, Europe, suggested ways of evaluating the implementation of their recommendations. The Commission may wish to recommend that such evaluation should be initiated by all HONLEA meetings and the Sub-Commission.

6. Within the HONLEA network, there has been a novel and valuable development whereby one HONLEA meeting requests another to consider an operational problem that concerns more than one region. For example, the Third Meeting of HONLEA, Africa, following its consideration of ways to counter the involvement of Africans as couriers in the illicit traffic in heroin, requested the Fifteenth Meeting of HONLEA, Asia and the Pacific, to examine the problem from the perspective of producer and transit countries. Similarly, the Third Meeting of HONLEA, Latin America and the Caribbean, following its adoption of measures to monitor essential chemicals and precursors used in the illicit manufacture of narcotic drugs or psychotropic substances in that region, requested the First Meeting of HONLEA, Europe, to consider adopting further measures to that effect. The interchange between the HONLEA meetings is expected to be further enhanced in the future, particularly since the HONLEA network now encompasses all the world's regions.

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Item 6 of the provisional agenda*

PREVENTION AND REDUCTION OF THE ILLICIT DEMAND FOR NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

Report of the Expert Group Meeting on the Establishment of an International Drug Abuse Assessment System, held at Vienna from 29 to 31 October 1990

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INTRODUCTION

1. Pursuant to resolution 3 (S-X) adopted by the Commission on Narcotic Drugs as well as the Global Programme of Action, paragraph 13, adopted by the General Assembly in its resolution S-17/2, the third Expert Group Meeting on the Establishment of an International Drug Abuse Assessment System met at Vienna from 29 to 31 October 1990. The Group's tasks were: (a) to review and finalize the draft of the questionnaire in the light of the results of the field testing conducted since the second Expert Group Meeting; (b) to identify specific data elements to be considered for inclusion in the country profile to be reported annually to the Commission; (c) to examine strategies for the implementation of an International Drug Abuse Assessment System (IDAAS); and (d) to make recommendations on IDAAS to the Commission.

RECOMMENDATIONS

2. The Expert Group recommended that the Commission on Narcotic Drugs should consider the adoption of a resolution including in particular the following elements:

(a) The adoption of the International Drug Abuse Assessment System for reporting the global nature, extent and consequences of drug abuse;

(b) The replacement of Part B of the Annual Reports Questionnaire, required under the treaties, by the International Drug Abuse Assessment System questionnaire;

(c) A request to the Secretary-General to allocate adequate resources from the regular budget or failing that the provision of extrabudgetary resources, to implement the International Drug Abuse Assessment System and assure its continued viability;

(d) The encouragement of Governments to support and participate actively in the implementation of the International Drug Abuse Assessment System;

(e) An invitation to the specialized agencies and to international and regional intergovernmental organizations to contribute to the provision of data and to collaborate in the implementation of the International Drug Abuse Assessment System.

I. ORGANIZATION OF THE MEETING AND ADMINISTRATIVE MATTERS

A. Opening of the Meeting

3. The Expert Group Meeting was opened by the Director of the Division of Narcotic Drugs, who pointed out the importance of the Group's task in developing recommendations and in finalizing the instrument designed to improve the quality and utility of data collected by the United Nations on drug abuse. The Deputy Director of the Division outlined the development of IDAAS to date.

B. Attendance

4. The Meeting was attended by the following experts: E. O. Adegbokum (Nigeria), A. Babayan (Union of Soviet Socialist Republics), D. Gregorio Barrio Anta (Spain), István Bayer (Hungary), Bruno Claver (Côte d'Ivoire), Carlos E. Dipp Vargas (Bolivia), Michael Donmall (United Kingdom of Great Britain and Northern Ireland), Jacques LeCavalier (Canada), Peter Lewis (Trinidad and Tobago), Richard Lindblad (United States of America), Angel Gastón Ponce Caballero (Bolivia), Estela G. Ponce (Philippines), Mitsumoto Sato (Japan), Moustafa Soueif (Egypt), Storm-Steinmeyer (Germany), Narong Suwanapiam (Thailand), Jean-François Thuy (France), Mohammad Zaini-Rahman (Malaysia). Observers attended from the Secretariat of the International Narcotics Control Board.

C. Election of officers

5. Jacques LeCavalier (Canada) was elected Chairman and Richard Lindblad (United States) was elected Rapporteur.

D. Agenda

6. The Expert Group adopted the following agenda:

(a) Adoption of the agenda.

(b) Review of purpose of IDAAS.

(c) IDAAS questionnaire: Presentation of IDAAS questionnaire, synopsis of field testing, IDAAS review.

(d) Country profile.

(e) Implementation of IDAAS.

(f) Recommendations to the Commission on Narcotic Drugs.

(g) Report.

II. THE INTERNATIONAL DRUG ABUSE ASSESSMENT SYSTEM

7. It was noted that the IDAAS questionnaire was intended to replace Part B of the Annual Reports Questionnaire (E/CN.7/1991/CRP.10) submitted by Governments to the Secretary-General. It was emphasized, however, that IDAAS would not be merely a questionnaire, but also a comprehensive system for compiling, analysing, and reporting existing data and information on drug abuse provided by Governments. The proposed Part B, as revised specifically for IDAAS, had been field tested in 17 countries and represented the product of several technical meetings and careful scientific design by recognized experts in the field of drug abuse. IDAAS would use common definitions and standardized procedures to report drug abuse. IDAAS was designed to organize drug-abuse information that already existed, therefore; to participate, Governments did not necessarily need to commit new resources. For countries that had not developed formal drug-abuse data-collection systems, the IDAAS questionnaire included a section for recording subjective but informed assessments, using standardized formats. IDAAS envisaged a quality assurance programme designed to maintain the most

rigorous data possible. The Division of Narcotic Drugs would be entrusted to develop, co-ordinate and implement IDAAS.

8. Using data submitted to IDAAS, the Division planned to produce for the Commission a Country Profile describing the nature and extent of drug abuse for each country. An annual IDAAS report providing global, regional and country-specific information would be submitted to the Commission and made available to all Governments. It was intended to produce special reports in response to the information needs of Governments. It was proposed that the United Nations would provide regional training and would make technical assistance on the IDAAS system available to Governments. The Division planned to help Governments with their specific needs for information by providing analytic capability to maximize the use of the IDAAS data file. For Governments wishing to expand their drug abuse data collection efforts, IDAAS would serve as a guide for developing new information systems. IDAAS would provide a framework for data collaboration between Governments, bodies and specialized agencies of the United Nations, and other international organizations.

III. EXPERT GROUP REVIEW OF THE IDAAS QUESTIONNAIRE AND ITS IMPLEMENTATION

9. The Expert Group reviewed in detail the revised IDAAS draft questionnaire. Following a comprehensive exchange of views, a number of modifications and refinements were adopted (E/CN.7/1991/CRP.10). In reviewing the section on working definitions, the Group decided wherever possible to incorporate the definitions that appeared in existing conventions. The working definition for drug abuse, it was understood, covered all categories of abusers, including those heavily dependent on drugs.

10. In addition, it was decided that wherever information was already available within the United Nations system, every effort would be made to incorporate it in IDAAS so as to avoid duplication of requests for information. In that context, the Expert Group emphasized the need to share information between the United Nations drug control units, such as the World Health Organization (WHO), the International Labour Organisation (ILO) and other relevant organizations.

11. The Expert Group considered steps that were desirable or necessary to implement IDAAS. The results of the deliberations were submitted to the Division for its guidance in implementing the system.

12. The Expert Group reviewed in detail the report prepared by a subcommittee that was asked to propose topics which might be used by the Division in submitting a country profile of the situation regarding drugs on each country as part of a Secretary-General's report to be submitted to the Commission. The annex contains the proposed guidelines.

Annex

COUNTRY PROFILE: STRUCTURAL ELEMENTS OR SECTIONS

1. Demographic data.

2. Drug problems:

(a) Illicit demand (drug abuse): Nature and extent of drug abuse, including patterns and trends;

(b) Illicit supply: Nature and extent of illicit drug supply, including illicit cultivation, production and manufacture, diversion, illicit traffic and black market;

(c) Consequences: Social and economic costs, criminality, morbidity, mortality etc.

3. Responses to Part B of the Annual Reports Questionnaire:

(a) Legislation and other regulatory actions;

(b) Demand reduction: Preventive measures, education, treatment etc.;

(c) Supply reduction: Law enforcement measures;

(d) Resources.

4. Problems connected with the implementation of the responses.

5. Country specific remarks.